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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 MARK ROGERS,

9 Petitioner,

3:02-cv-00342-GMN-VPC

10 vs.

**ORDER**

11 RENEE BAKER, *et al.*,

12 Respondents.  
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15 This capital habeas corpus action is on remand from the court of appeals. On April 25, 2016,  
16 the petitioner, Mark Rogers, filed his brief, setting forth his position with respect to the issues to be  
17 addressed on remand (ECF No. 174). Rogers also filed a motion for evidentiary hearing (ECF No.  
18 175). After two extensions of time, the first 32 days and the second 31 days, respondents were due  
19 to file a response to petitioner's brief, and a response to petitioner's motion for evidentiary hearing,  
20 by August 29, 2016. *See* Order entered August 25, 2015 (ECF No. 167); Order entered April 27,  
21 2016 (ECF No. 176); Order entered May 16, 2016 (ECF No. 178); Order entered June 27, 2016  
22 (ECF No. 181); Order entered August 5, 2016 (ECF No. 184).

23 On August 29, 2016, respondents filed a motion for extension of time requesting a third  
24 extension of time for their responsive brief on remand (ECF No. 185), and for their response to  
25 petitioner's motion for evidentiary hearing (ECF No. 186). Respondents request that those deadlines  
26 be further extended to September 12, 2016 -- a 14-day extension of time. Respondents' counsel

1 states that the extensions of time are necessary because of his busy schedule. The court finds that the  
2 motions for extension of time are made in good faith and not solely for the purpose of delay, and that  
3 there is good cause for the extensions of time requested.

4 **IT IS THEREFORE ORDERED** that respondents' motions for extension of time (ECF  
5 Nos. 185 and 186) are **GRANTED**. Respondents shall have until and including **September 12,**  
6 **2016**, to file their responsive brief regarding the issues on remand and their response to petitioner's  
7 motion for evidentiary hearing.

8 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further  
9 proceedings in this case shall be governed by the order entered August 25, 2015 (ECF No. 167),  
10 and the order entered April 27, 2016 (ECF No. 176).

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12 Dated this 29 day of August, 2016.

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16 UNITED STATES DISTRICT JUDGE  
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